

JUN 26 1993

Before the
Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No.
Table of Allotments) RM-_____
FM Broadcast Stations)
(Refugio, Texas))
)
)
)
TO: Chief, Allocations Branch)

PETITION FOR RULE MAKING

WAB Broadcasting ("WAB"), by its attorneys and pursuant to Sections 1.401 of the Commission's Rules, hereby submits its Petition for Rule Making, seeking amendment of Section 73.202(b), Table of Allotments. WAB requests that the Commission amend the FM Table of Allotments to allot Channel 263A to Refugio, Texas, as the community's second local aural service. In support of this request, WAB states the following:

1. The allotment of Channel 263A to Refugio would provide that community with its second local aural service. Moreover, Channel 263A can be allotted to Refugio using reference coordinates 28-21-00 NL; 97-16-30 WL, consistent with the Commission's distance separation requirements.¹ (See also Engineering Exhibit attached hereto).

¹ The allocation of Channel 263A to Refugio can be made consistent with the Commission's spacing requirements provided that the allocation is made with a site restriction of 5 kilometers due north of Refugio to prevent short spacing to Station KSAB at Robstown, Texas.

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2. Refugio has one local station, Station KTKY(FM), operating on Channel 291C3. However, the community of approximately 3000 people² is supported by several local services (Police, Sheriff, Post Office, Refugio Volunteer Fire Department, Refugio Memorial Hospital) and businesses (Central Texas Gas & Electric, First National Bank of Refugio, Exxon and Quintanna Gas Production companies), and would benefit from the addition of a second local transmission service. Moreover, presently the Commission has no planned use for Channel 263A that would conflict with the channel's allotment to Refugio.

3. In sum, WAB requests that the Commission grant the instant petition for rule making and amend the FM Table of Allotments to allot Channel 263A to Refugio, Texas. If Channel 263A is allotted as requested, WAB intends to file with the Commission an application for a construction permit, and if awarded the permit intends to construct and operate Channel 263A at Refugio, Texas.

Respectfully submitted,

WAB BROADCASTING

By: 
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Its Attorneys

June 26, 1998

² Source: Population Estimates Program, Population Division, U.S. Census Bureau, Washington, DC, released December 31, 1997.

***** FM CHANNEL SPACING STUDY *****

Job title: Channel 263A, Refugio, TX

Latitude: N 28 21 .00

Channel: 263A

Longitude: W 97 16 30.00

Database file name: c:\fccdata\fm980528.edx

Pre-1989 Class A spacings?: Y
Reqd.

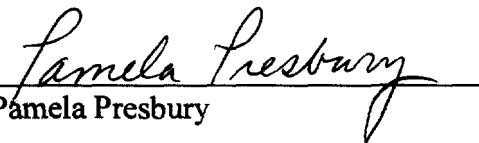
CH	Call	Record	City	ST	Status	Bear.	Dist.	Dist.	Result
262C	KILTFM	15232	Houston	TX	LIC	51.1	219.2	161.0	
262C	KTEX	16354	Brownsville	TX	LIC	192.4	252.9	161.0	
260C1	KSAB	16397	Robstown	TX	LIC	205.5	74.8	74.0	.8
265A	KEPG	16437	Victoria	TX	LIC	24.2	53.4	27.0	
265A	NEW	16438	Victoria	TX	APP	21.9	55.3	27.0	
210A	NEW	16455	Cuero	TX	APP	357.2	75.5	8.0	
210A	ALLOTM	16456	Cuero	TX	VACANT	359.1	82.2	8.0	
210A	NEW	16457	Cuero	TX	APP	357.2	75.5	8.0	
264C	KASE	16522	Austin	TX	LIC	347.0	224.5	161.0	
264C	KASE	16524	Austin	TX	LIC	347.0	224.5	161.0	
264C	KASE	16525	Austin	TX	LIC	347.0	224.2	161.0	
264C3	KMFM	17069	Premont	TX	CP	218.5	123.8	84.0	
262C	KCY Y	17132	San Antonio	TX	LIC	313.1	192.0	161.0	
263C2	KBDR	17566	Mirando City	TX	LIC	240.5	222.0	163.0	

***** End of channel 263 study *****

CERTIFICATE OF SERVICE

I, Pamela Presbury, a secretary in the law offices of Davis Wright Tremaine LLP, do hereby certify that a true copy of the foregoing "Petition for Rule Making" was sent June 26, 1998, by first-class United States Mail, postage prepaid, or as indicated, by hand, to the following:

*John A. Karousos, Chief,
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Washington, DC 20554


Pamela Presbury

*BY HAND